

Message Text

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TO AMEMBASSY LONDON IMMEDIATE
INFO AMEMBASSY PARIS IMMEDIATE

C O N F I D E N T I A L STATE 205925

STADIS////////////////////
FOR AMBASSADOR

E.O. 11652: GDS

TAGS: EAIR, FR, UK

SUBJECT: CONCORDE CASE

1. IN THE COURSE OF THE PAST FEW DAYS, WE HAVE DISCUSSED POSSIBLE USG INTERVENTION IN THE CONCORDE APPEAL WITHIN THE DEPT, WITH DE,TS OF TRANSPORTATION AND JUSTICE AND WITH WHITE HOUSE. OUR VIEW HAS BEEN THAT U.S. FOREIGN RELATIONS INTERESTS WOULD BE SERVED BY USG INTERVENTION URGING APPELLATE COURT TO REJECT ANY FURTHER STAY OF DISTRICT COURT DECISION OR, IN THE ALTERNATIVE, TO GRANT AN EXPEDITED APPEAL WHICH WOULD MINIMIZE ANY FURTHER DELAYS. HOWEVER, OTHER USG PARTICIPANTS IN DISCUSSIONS HAVE NOT BEEN PER-
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SUADED THAT INTERVENTION WOULD BE DESIRABLE.

2. ONE ELEMENT OF OPPOSITION APPEARS TO BE FEELING THAT INVOLVEMENT OF USG IN APPELLATE PROCESS AT THIS STAGE MIGHT LEAD TO A REQUEST FROM COURT FOR OUR CONTINUING INVOLVEMENT AT SUBSEQUENT STAGES OF THE APPEAL. JUSTICE ALSO FEELS THAT US INTERVENTION ALONG

LINES INDICATED ABOVE PROBABLY WOULD NOT INFLUENCE
OUTCOME BECAUSE COURT OF APPEALS IN ANY EVENT WILL
ALMOST CERTAINLY STAY THE DISTRICT COURT DECISION AND

GRANT AN EXPEDITED APPEAL; HOWEVER, THERE IS A STRONG
POSSIBILITY THAT, SHOULD THE USG INTERVENE AT THIS
TIME, THE PORT AUTHORITY WOULD DEMAND FURTHER DELAY
IN THE APPELLATE COURT'S ACTION TO RESPOND TO OUR
INTERVENTION.

3. IN VIEW OF POSITION OF OTHERS AND OF LIKELIHOOD
THAT COURT OF APPEALS WILL EXPEDITE ITS DECISION IN
THE CASE, DEPT DOES NOT BELIEVE FURTHER EFFORTS
URGING USG INTERVENTION ARE ADVISABLE AT THIS STAGE
OF THE PROCEEDINGS. VANCE

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